

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned  
 OTHER MINOR OFFENSE MO ☐ 8510  
 OTHER MISDEMEANOR Mis ☐ 1085 4  
 FELONY Fel ☒ District Office

U.S. vs. *a/k/a* WILLIAMS, JAMES L. *56*  
 (LAST, FIRST, MIDDLE)

Case Filed  
 Mo. Day  
 7 13  
 No. of Def's  
 \* 1

76 - CR - 97 - 1

Yr. Docket No. Def.

U.S. MAG. CASE NO. 76-37M

BAIL • RELEASE

☐ AMT ☐ Fugitive  
☐ Denied ☐ Set ☐ Pers. Recog.  
☐ PSA

\$ 2500.00 conditions

Date 4-8-76  
☒ 10% Deposit  
☐ Surety Bond

☐ Bail Not Made  
☒ Status Changed (See Docket)  
☐ Collateral  
☐ 3rd Ptry Cust  
☐ Other

U.S. TITLE/SECTION

26:7212(b)

OFFENSES CHARGED

Taking property seized by IRS  
 \$500 or not more than double the value  
 of the property so rescued, whichever  
 is the greater, or not more than 2 yrs.

ORIGINAL COUNTS

1

## II. KEY DATES &amp; INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 4-8-76	High Risk Date Information <input type="checkbox"/> 7-13-76	5-2-78	Trial Set For Voor Dire <input type="checkbox"/>	Disposition of Charges 7-10-78
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea " <input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL	Trial Began <input type="checkbox"/>	<input checked="" type="checkbox"/> Convicted <input checked="" type="checkbox"/> On All Charges
First Appearance	In Charging District Superseding Indict/Info <input type="checkbox"/> 7-13-76	Final Plea 6-12-78	Trial Ended <input type="checkbox"/>	<input type="checkbox"/> Acquired <input type="checkbox"/> On Lesser * Offense(s)
		<input type="checkbox"/> NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL		<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

## MAGISTRATE

SEARCH WARRANT	ISSUED	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	DATE SCHEDULED	DATE HELD	INITIAL/NO.	OUTCOME:
Issued	4-7-76	CSB/850e	4-8-76	4-12-76	CSB/850e			<input type="checkbox"/> DISMISSED
Return								<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons Issued								<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
Served								
Arrest Warrant Issued	4-7-76	CSB/850e						
COMPLAINT	4-7-76	CSB/850e						
OFFENSE (In Complaint)	Taking property which had been seized by IRS for collection of delinquent taxes							

U.S. Attorney or Asst.

-Ben-F.-Baker, Ass't.  
 George Carrasquillo

## ATTORNEYS

Defense: ☒ CJA, ☐ Ret; ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

John W. Hampton

PH: 583-3922

Mayo Building

Tulsa, Okla. 74103 / (on appeal) pro se  
 159 N. Erie, Tulsa 74115

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY
			(a) (b) (c) (d)
1976 4-8		Initial hearing before CSB, Mag. Deft. released on \$2500 - 10% deposit bond.	
4-12		Deft. failed to appear as ordered for preliminary hearing. Bond was forfeited. Bench Warrant issued. Bail \$5,000 C/S on Bench Warrant.	2 4/12/76 M
7-13		Record vote of the Grand Jury Concurring, fld. in Open Court. v	
7-13		Indictment, fld. in Open Court. Bond set at \$10,000.00, C/S. (H. Dale Cook, Judge)v	
7-14		Warrant for arrest issued. v	
1978 4-26		MO: CASE SET FOR ARR. & PLEA 5-2-78 at 9:30 a.m.; deft. given 10 days from this date to file motions; govt. 5 days thereafter to respond. (HDC-J)hm (notices mailed)	
4-27		Magistrate's papers, filed. hm	
5-2		Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. ack. receipt of Ind., is arraigned & enters	2 5/2/78 M 750

IV. PROCEEDINGS (continued)			V. EXCLUDABLE DELAY			
DATE	WILLIAMS (76-CR-97) (DOCUMENT NO.)	PAGE TWO	Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
	plea of NOT GUILTY. Deft. heretofore given until 5-8 to file motions; govt. until 5-13 to respond. CASE SET FOR JURY TRIAL 6-12-78 at 9:30 a.m. Deft. remanded to cust. of U.S. Marshal. (HDC-J)hm					
5-3	Return on Mag.'s Warrant of Arrest, fld. Deft. arrested by Southlake Tahoe Police Dept. 4-19-78. Rec'd Removal Warrant on 4-25-78 and delivered Deft. to USM, Tulsa, OK, on 4-20-78.					
	Return on Warrant of Arrest for Deft., fld. Rec'd 4-24-78 in E.D. of Calif. & executed same. v					
6-6	MO: CASE SET FOR PT HRG. 6-7-78 at 4:00 p.m. (HDC-J)hm					
6-7	PT hrg. held. Deft. present & rep.; govt. rep. Statements made. Govt's mo/limine, w/brief in support, filed in open court. Govt's oral mo/strike withdrawn. Deft. to file brief & req. instr. by 6-9. (EST-1 day) (HDC-J)hm	3		6/7/78 6/7/78	E	1
6-7	Govt's mo/limine, filed. hm					
6-7	Brief in support of mo/limine, filed. hm					
6-12	Case called for jury trial. Deft. present & rep.; govt. rep. Deft. changes plea from Not Guilty to GUILTY. Deft. waives jury; jury waiver signed & filed in open court. Deft. ack. receipt of Ind., Ind. read, deft. arraigned & enters plea of GUILTY. Petition to enter plea of Guilty executed & sworn to. Deft. enters plea of guilty, is sworn & relates facts of charge. Deft. adjudged GUILTY as charged. Petition to enter plea approved & filed in open court. Sentence set 7-10-78 at 9:15 a.m. Deft. remanded to cust. of U.S. Marshal. Deft. pleads true name as: JAMES RUSSELL CYPHERT. Ind. to be so amended. (HDC-J)hm					
7-10	Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sent. is pronounced. Judgment and Sentence - JAMES RUSSELL CYPHERT a/k/a JAMES L. WILLIAMS Ct. 1- Atty. Gen. - Thirteen (13) Months IT IS RECOMMENDED that the deft. receive such treatment as the institution to which he may be committed can provide for his alcohol addiction. (HDC-J)hm					
7-10	Judgment and commitment, filed and entered. (HDC-J)hm					
7-10	Two c/c of J&C delivered to U.S. Marshal. (HDC-J)hm					
10-31-78	Motion, pursuant to 28 USC 2255, attacking sentence, fld. (Including forma pauperis affidavit)ra					
1-24-79	Order, fld and entered, that petitioner's mot/vacate sentence is hereby DENIED. (HDC-J)ra cps mld					
2-2-79	Notice of appeal (ltr. form) by deft. from Order of 1/24/79, filed. rm-c/m USCA, petitioner and U.S. Atty					

  

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

Identifying  
Periods of Exclud-  
able Delay Per 18  
U.S.C. 3161(h)

A. Examination or  
hearing for  
mental or  
physical in-  
capacity (18  
U.S.C. 4244).

B. NARA Exam-  
ination (28  
U.S.C. 2502).

C. State or Federal  
trials on other  
charges.

D. Interlocutory  
Appeals.

E. Hearings on  
pretrial motions.

F. Transfers from  
other districts  
(per F.R.Cr.P.  
Rules 20, 21  
& 40).

G. Defendant Motion  
is actually  
under advisement.  
Period of  
up to 30 days  
is excludable  
per  
3161(h) (1) (G).

H. Miscellaneous  
Proceedings:  
Probation or  
Parole revoca-  
tion, Deporta-  
tion, Extradition.

I. Prosecution de-  
ferred by  
mutual agree-  
ment.

M. Unavailability  
of defendant  
or essential  
witness.

N. Period of men-  
tal or physical  
incompetence  
of defendant to  
stand trial.

O. Period of  
NARA Com-  
mitment or  
Treatment.

P. Superseding  
Indictment  
and/or new  
charges.

R. Defendant  
awaiting trial  
of Co-defen-  
dant when no  
severance has  
been granted.

T. Continuances  
Granted per  
3161(h) (8)  
(i.e. ends of  
justice or com-  
plexity of case  
outweighs de-  
fendant's  
interests).

U. Time between  
guilty plea and  
plea with-  
drawal.

W. Grand Jury in-  
dictment ex-  
tended per  
3161 (b).

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

U. S. vs

JAMES RUSSELL CYPHERT

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
3-6-79	(Document No.) Appeal record (orig. + 1 cpy) sent to USCA. g				
3-15-79	Letter from 10th Circuit, assigning No. 79-1185.rm				
10-22-79	Telephone request from 10th Cir. for copy of "Rule 11" proceedings. Ct. reporter T. Bloxom notified.rm				
10-30-79	REPORTER'S TRANSCRIPT of all proceedings had. rm (T.Bloxom-CSR) (pp.1-47)				
10-30-79	SUPPL. APPEAL VOL. I (reptr. transcript) transmitted to 10th Cir. rm				
12-20-79	MANDATE & OPINION of 10th Circuit, filed and spread of record, affirming. rm				
12-21-79	APPEAL RECORD (Vol. I & Suppl. Vol. I) received from USCA.rm				

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)